

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

BOBBY CAMPBELL (01)

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Criminal Action No. 4:18-CR-239-A

**DEFENDANT'S MOTION FOR CONTINUANCE OF TRIAL
AND ASSOCIATED PRETRIAL DEADLINES**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE JOHN MCBRYDE:

The defendant, BOBBY CAMPBELL, by and through his attorney of record, files this motion to continue the trial in this matter, which is currently scheduled for NOVEMBER 26, 2018, as well as the associated pretrial deadlines.

Background

The defendant is one of two defendants named in a one-count Indictment filed on September 19, 2018 charging the offense of Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §846; §841(a)(1) and (b)(1)(B).

The defendant was arrested on July 11, 2018 and appeared before U.S. Magistrate Judge Jeff Cureton on July 19, 2018 for his initial appearance on the government's sworn complaint. A detention hearing was held on July 24, 2018, after which an Order Setting Conditions of Release was entered, and the defendant was released pending trial.

On October 1, 2018, defense counsel forwarded a written discovery request to the Assistant United States Attorney assigned to this case. This request included specific items, including all reports, photographs, and videos pertaining to a traffic stop of the defendant which was conducted on July 11, 2018 by the Texas Department of Public Safety (DPS).

On October 5, 2018, defense counsel learned from reviewing an official DPS report (published on October 2, 2018) that some evidence was still in the possession of DPS and had not been included with the discovery already published in this case.

On Tuesday, October 9, 2018, after the holiday weekend, defense counsel conferred with Assistant United States Attorney Chris Wolfe regarding these specific items of discovery that had not yet been received. AUSA Wolfe contacted and spoke to the case agent regarding this matter and confirmed that some evidentiary items were still in the possession of the DPS and had not yet been produced. This evidence possibly includes 3 DPS reports, multiple photographs, and at least one video. AUSA Wolfe assured defense counsel that these items would be produced by close of business today (October 9, 2018). The pretrial deadline in this case is Thursday, October 11, 2018, and trial is scheduled for November 26, 2018.

Motion

The defendant's counsel requests a trial continuance of at least 30 days, along with an adjustment of all associated pretrial deadlines, to allow for the completion of discovery, and have sufficient time to perform a thorough investigation of the defendant's case and prepare an adequate defense.

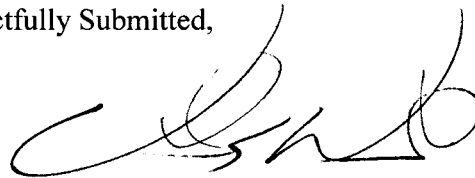
This continuance is not requested for purposes of delay, but that justice may be served, and the defendant may be afforded all reasonable opportunity to prepare for trial and/or contemplate an informed alternative disposition of his case. Should the Court grant this continuance, the defendant agrees that any period of delay resulting therefrom, made necessary by this request for continuance, shall be excludable under 18 U.S.C. § 3161(h)(7)(A). Additionally, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the Defendant in a speedy trial, 18 U.S.C. § 3161(h)(7)(A)

The undersigned counsel has conferred with the AUSA Wolfe regarding this motion and he is unopposed to the granting of this motion.

The undersigned counsel has conferred with attorney for co-defendant Sonia Cantu and he is unopposed to the granting of this motion.

Respectfully Submitted,

BY:



VINCENT E. WISELY
TEXAS BAR NO. 24029904
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Fort Worth, Texas 76112
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Representing Defendant Bobby Campbell

CERTIFICATE OF CONFERENCE

I hereby certify that I, VINCENT WISELY, attorney for defendant Bobby Campbell, did confer with CHRIS WOLFE, the Assistant United States Attorney assigned to this case, and he stated that he is UNOPPOSED for reasons stated in this motion.

I hereby certify that I, VINCENT WISELY, attorney for defendant Bobby Campbell, did contact the office of WILLIAM BIGGS, attorney for co-defendant Sonia Cantu, and he stated that he is UNOPPOSED to the granting of this motion.

BY:



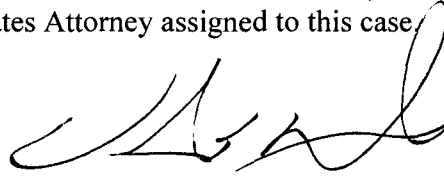
VINCENT E. WISELY

Representing Defendant Bobby Campbell

CERTIFICATE OF SERVICE

I VINCENT WISELY, hereby certify that on October 9, 2018, the foregoing motion was filed in paper form with the U.S. District Clerk for the Northern District of Texas, with a copy delivered to CHRIS WOLFE, the Assistant United States Attorney assigned to this case.

BY:



VINCENT E. WISELY

Representing Defendant Bobby Campbell